Friday, December 21, 2012

Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 4310, National Defense Authorization Act.

Senate

Chamber Action

Routine Proceedings, pages S8323–8380

Measures Introduced: Five bills and one resolution were introduced, as follows: S. 3705–3709, and S.J. Res. 51. **Page S8364**

Measures Reported:

Report to accompany S. 911, to establish the sense of Congress that Congress should enact, and the President should sign, bipartisan legislation to strengthen public safety and to enhance wireless communications. (S. Rept. No. 112–260)

Report to accompany S. 1449, to authorize the appropriation of funds for highway safety programs and for other purposes. (S. Rept. No. 112–261)

S. 1262, to improve Indian education, with an amendment in the nature of a substitute. (S. Rept. No. 112–262)

S. 1684, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, with amendments. (S. Rept. No. 112–263) **Page S8363**

Measures Passed:

Birthplace of the National Guard: Committee on Armed Services was discharged from further consideration of H.R. 1339, to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States, and the bill was then passed. **Page S8377**

Drywall Safety Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 4212, to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S8377–78**

Reid (for Vitter) Amendment No. 3432, in the nature of a substitute. **Pages S8377–78**

Motor Vehicle Insurance Cost Reporting: Committee on Commerce, Science, and Transportation was discharged from further consideration of H.R. 5859, to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting, and the bill was then passed. **Page S8378**

Frank Buckles World War I Memorial Act: Senate passed H.R. 6364, to establish a commission to ensure a suitable observance of the centennial of World War I, to provide for the designation of memorials to the service of members of the United States Armed Forces in World War I, after agreeing to the following amendment proposed thereto: **Page S8378**

Reid (for McCaskill/Blunt) Amendment No. 3433, in the nature of a substitute. **Page S8378**

Large Financial Institutions and the Federal Government Transactions: Senate passed S. 3709, to require a Government Accountability Office examination of transactions between large financial institutions and the Federal Government, after agreeing to the following amendment proposed thereto: **Pages S8378–79**

Reid (for Vitter/Brown (OH)) Amendment No. 3434, in the nature of a substitute. **Pages S8378–79**

Hizballah: Committee on Foreign Relations was discharged from further consideration of S. Res. 613, urging the governments of Europe and the European Union to designate Hizballah as a terrorist organization and impose sanctions, and urging the President to provide information about Hizballah to the European allies of the United States and to support to the Government of Bulgaria in investigating the July 18, 2012, terrorist attack in Burgas, and the resolution was then agreed to. **Pages S8379–80**

Medicare IVIG Access Act: Senate passed H.R. 1845, to provide a demonstration project providing

Medicare coverage for in-home administration of intravenous immune globulin (IVIG) and to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims. **Page S8380**

Measures Considered:

Full-Year Continuing Appropriations Act—Agreement: Senate continued consideration of H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, taking action on the following amendments and motions proposed thereto: **Pages S8340–46**

Withdrawn:

Reid Amendment No. 3396 (to Amendment No. 3395), to change the enactment date. **Page S8341**

Reid Amendment No. 3398 (to the language proposed to be stricken by Amendment No. 3395), to change the enactment date. **Page S8341**

Pending:

Reid Amendment No. 3395, in the nature of a substitute. **Page S8341**

During consideration of this measure today, Senate also took the following action:

By 91 yeas to 1 nay (Vote No. 230), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on Reid Amendment No. 3395 (listed above). **Page S8340**

Reid motion to commit the bill to the Committee on Appropriations, with instructions, Reid Amendment No. 3400, to change the enactment date, fell when cloture was invoked on Reid Amendment No. 3395 (listed above). **Page S8341**

Reid Amendment No. 3401 (to (the instructions) Amendment No. 3400), of a perfecting nature, fell when Reid motion to commit the bill to the Committee on Appropriations, with instructions, Reid Amendment No. 3400 (listed above) fell. **Page S8341**

Reid Amendment No. 3402 (to Amendment No. 3401), of a perfecting nature, fell when Reid Amendment No. 3401 (to (the instructions) Amendment No. 3400) fell. **Page S8341**

By 57 yeas to 34 nays (Vote No. 231), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected the motion to waive pursuant to section 904 of the Congressional Budget Act of 1974 with respect to Reid Amendment No. 3395 (listed above). Subsequently, the point of order that the amendment was in violation of section 314(e)(1) of the Congressional Budget Act of 1974, was sustained, and the emergency designation within the amendment was stricken. **Pages S8341–42**

Reid Amendment No. 3397 (to Amendment No. 3396), of a perfecting nature, fell when Reid Amendment No. 3396 (to Amendment No. 3395) (listed above) was withdrawn. **Page S8341**

Reid Amendment No. 3399 (to Amendment No. 3398), of a perfecting nature, fell when Reid Amendment No. 3398 (to the language proposed to be stricken by Amendment No. 3395) (listed above) was withdrawn. **Page S8341**

A unanimous-consent-time agreement was reached providing that no other budget points of order be in order to the substitute or the underlying bill; provided further, that notwithstanding Rule XXII, the following amendments be in order: Cardin Amendment No. 3393; Grassley Amendment No. 3348; Feinstein Modified Amendment No. 3421; Harkin Amendment No. 3426; Landrieu Amendment No. 3415; Leahy Amendment No. 3403; McCain Modified Amendment No. 3384; Bingaman Amendment No. 3344; Coburn Amendment No. 3368; Coburn Amendment No. 3369; Coburn Modified Amendment No. 3370; Coburn Amendment No. 3371; Coburn Amendment No. 3382; Coburn Amendment No. 3383; Tester Amendment No. 3350; Paul Amendment No. 3376; Paul Amendment No. 3410; McCain Amendment No. 3355; Merkley Modified Amendment No. 3367; Lee Modified Amendment No. 3373; and Coats Amendment No. 3391; that no amendments be in order to any of these amendments prior to votes on or in relation to the amendments; that the amendments be subject to a 60 affirmative vote threshold; that there will be 30 minutes of debate equally divided in the usual form on each amendment with the exception of the following: 20 minutes equally divided on each of the Coburn amendments or divisions, and the Lee amendment; 40 minutes equally divided on each of the Paul amendments; and one hour equally divided on the Coats amendment; that upon the use or yielding back of time, Senate vote on or in relation to the amendments in the order listed; that there be two minutes of debate, equally divided, between the votes; that all after the first vote, be ten minute votes; that upon disposition of the pending amendments listed, Senate vote on or in relation to the pending substitute amendment, as amended, if amended; that upon disposition of the substitute, the cloture motion on the underlying bill be withdrawn, and Senate vote on passage of the bill, as amended, if amended. **Page S8340**

Conference Reports:

National Defense Authorization Act: By 81 yeas to 14 nays (Vote No. 229), Senate agreed to the conference report to accompany H.R. 4310, to authorize

appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year. **Pages S8325–40**

FISA Amendments Act Reauthorization Act—Agreement: A unanimous-consent agreement was reached providing that notwithstanding cloture having been invoked and at a time to be determined by the Majority Leader, after consultation with the Republican Leader, Senate begin consideration of H.R. 5949, to extend the FISA Amendments Act of 2008 for five years; that the only first-degree amendments in order to the bill be the following: Leahy; Merkley; Paul; and Wyden; that there be 30 minutes of debate equally divided between the proponents and opponents on each amendment; that there be up to seven hours of debate on the bill equally divided between the proponents and opponents; that upon the use or yielding back of time, Senate vote on or in relation to the amendments in the order listed; that there be no amendments in order to any of the amendments prior to the votes; that upon disposition of the amendments, Senate vote on passage of the bill, as amended, if amended, and that there be a 60 affirmative vote threshold on each of the amendments and passage of the bill. **Page S8374**

A unanimous-consent agreement was reached provided that with respect to consideration of the bill, the text for each of the amendments in order under the previous agreement is at the desk. **Page S8374**

A unanimous-consent agreement was reached providing that Senate begin consideration of the bill at approximately 10 a.m., on Thursday, December 27, 2012; and that Senator Wyden be recognized. **Page S8380**

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate. **Page S8380**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that from Friday, December 21, 2012 through Thursday, December 27, 2012, the Majority Leader be authorized to sign duly enrolled bills or joint resolutions. **Page S8380**

Nominations Confirmed: Senate confirmed the following nominations:

Matthew W. Brann, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Malachy Edward Mannion, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Jon S. Tigar, of California, to be United States District Judge for the Northern District of California. **Pages S8374–75, S8380**

William S. Greenberg, of New Jersey, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years. (Prior to this action, Committee on Veterans' Affairs was discharged from further consideration.) **Pages S8375, S8380**

Nominations Received: Senate received the following nominations:

Ernest W. Dubester, of Virginia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 29, 2017.

Carol Waller Pope, of the District of Columbia, to be a Member of the Federal Labor Relations Authority for a term of five years expiring July 1, 2014. **Page S8380**

Messages from the House: **Page S8360**

Measures Referred: **Pages S8360–61**

Executive Communications: **Pages S8361–63**

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Executive Reports of Committees: **Pages S8363–64**

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Statements on Introduced Bills/Resolutions: **Pages S8364–65**

Additional Statements: **Pages S8358–60**

Amendments Submitted: **Pages S8365–74**

Authorities for Committees to Meet: **Page S8374**

Privileges of the Floor: **Page S8374**

Record Votes: Three record votes were taken today. (Total—231) **Pages S8338, S8340, S8342**

Adjournment: Senate convened at 1 p.m. and adjourned at 7:19 p.m., until 12 p.m. on Monday, December 24, 2012. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S8340.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 1,944 nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Ronald Lee Buch, of Virginia, and Albert G. Lauber, of the District of Columbia, both to be a Judge of the United States Tax Court.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 3 public bills, H.R. 6703–6705; and 1 resolution, H. Con. Res. 146 was introduced. **Page H7429**

Additional Cosponsors: **Page H7429**

Reports Filed: Reports were filed today as follows:

Summary on the Activities of the Committee on Transportation and Infrastructure for the 112th Congress (H. Rept. 112–718);

H.R. 5806, to amend the Homeland Security Act of 2002 to require the Administrator of the Federal Emergency Management Agency to provide guidance and coordination for outreach to people with disabilities during emergencies, and for other purposes, with an amendment (H. Rept. 112–719, Pt. 1);

H.R. 3850, to amend the Small Business Act with respect to goals for procurement contracts awarded to small business concerns, and for other purposes, with an amendment (H. Rept. 112–720, Pt. 1);

[report text]

[report text] **Pages H7428–29**

Adjournment Resolution: The House agreed to H. Con. Res. 146, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate. **Page H7427**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 12 noon on Monday, December 24, 2012 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 146, in which case the House shall stand adjourned pursuant to that concurrent resolution. **Page H7428**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page 7427.

Senate Referral: S. 2388 was held at the desk. **Page H7427**

Quorum Calls—Votes: There were no Yea-and-Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 2 p.m. and at 2:05 p.m., the House stands adjourned until noon on Monday, December 24, 2012 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 146, in which case the House shall stand adjourned pursuant to that concurrent resolution.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D1055)*

H.R. 2467, to take certain Federal lands in Mono County, California, into trust for the benefit of the Bridgeport Indian Colony. Signed on December 20, 2012. (Public Law 112–212)

H.R. 2838, to authorize appropriations for the Coast Guard for fiscal years 2013 through 2014. Signed on December 20, 2012. (Public Law 112–213)

H.R. 3319, to allow the Pascua Yaqui Tribe to determine the requirements for membership in that tribe. Signed on December 20, 2012. (Public Law 112–214)

H.R. 4014, to amend the Federal Deposit Insurance Act with respect to information provided to the Bureau of Consumer Financial Protection. Signed on December 20, 2012. (Public Law 112–215)

H.R. 4367, to amend the Electronic Fund Transfer Act to limit the fee disclosure requirement for an

automatic teller machine to the screen of that machine. Signed on December 20, 2012. (Public Law 112–216)

S. 1998, to obtain an unqualified audit opinion, and improve financial accountability and management at the Department of Homeland Security. Signed on December 20, 2012. (Public Law 112–217)

S. 3542, to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports. Signed on December 20, 2012. (Public Law 112–218)

COMMITTEE MEETINGS FOR MONDAY, DECEMBER 24, 2012

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

12 p.m., Monday, December 24

Senate Chamber

Program for Monday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 p.m., Monday, December 24

House Chamber

Program for Monday: The House will meet in pro forma session at 12 noon.

Extensions of Remarks, as inserted in this issue

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